



## **Special Education Litigation Costs**

---

**Fiscal Year 2016**

**Report**

**To the**

**Legislature**

**As required by**

**Minnesota Statutes,**

**section 125A.75, Subdivision 9**

**COMMISSIONER:**

**Brenda Cassellius, Ed. D.**

**Special Education Litigation Costs**

**February 1, 2016**

**FOR MORE INFORMATION CONTACT:**

**Sarah Miller**

**Division of School Finance**

**651-582-8370**

**Sarah.C.Miller@state.mn.us**

**Fiscal Year 2015**

**Report to the Legislature**

**As required by**

**Minnesota**

**Statutes**

**125A.75, Subdivision 9**

## **Cost of Report Preparation**

The total cost for the Minnesota Department of Education (MDE) to prepare this report was approximately \$ **192.00**. Most of these costs involved staff time in analyzing data from surveys and preparing the written report. Incidental costs include paper, copying and other office supplies.

Estimated costs are provided in accordance with Minnesota Statutes 2011, section 3.197, which requires that at the beginning of a report to the Legislature, the cost of preparing the report must be provided.

## **Introduction**

The Minnesota Department of Education (MDE) created a Uniform Financial Accounting and Reporting (UFARS) code dimension to monitor special education litigation costs. Entities reporting financial data to MDE are requested to use Object Code 306 for special education litigation costs. The definition of the account code in the UFARS manual is as follows:

“Include all special education expenditures incurred for time spent by legal counsel in consideration of litigation, during litigation and in post-litigation work, including appeals and discussions regarding potential appeals. Costs should include the legal fees associated with a request for a due process hearing whether or not it settles the issue, and any expense incurred when seeking counsel in consideration of filing.”

This report is notification to legislative committees based upon data compiled on February 1, 2016, and under statutory authority in Minnesota Statutes, section 125A.75, Subdivision 9.

## **Legislative Charge**

Minnesota Statutes, 2015, section 125A.75, Subdivision 9, states:

- a) By November 30 of each year, a school district must annually report the district’s special education litigation costs, including attorney fees and costs of due process hearings, to the commissioner of education, consistent with the Uniform Financial Accounting and Reporting Standards.
- b) By February 1 of each year, the commissioner shall report school district special education litigation costs to the House of Representatives and the Senate committees having jurisdiction over kindergarten through grade 12 education finance.

This report is notification to legislative committees based upon data compiled on February 1, 2016.

## **Analysis**

Table One shows that at the time of this report (February 1, 2016), 20 Independent School Districts, one Charter School, one Education District, and one Special Education District reported total special education litigation costs of \$248,500.96 for Fiscal Year 2015.

## Conclusion

**Table One: Special Education Litigation Cost Summary as of February 1, 2016**

District Name	District Number	District Type	Amount (\$)
Anoka-Hennepin Public School District	11	1	27,831.57
Spring Lake Park Public Schools	16	1	1,200.00
Carlton Public School District	93	1	147.00
Waconia Public School District	110	1	1,098.60
Red Wing Public School District	256	1	780.00
Hopkins Public School District	270	1	624.13
Bloomington Public School District	271	1	3,273.00
Edina Public School District	273	1	37,959.21
Osseo Public School District	279	1	5,000.00
Willmar Public School District	347	1	43,380.74
Rochester Public School District	535	1	26,073.36
Mounds View Public School District	621	1	11,585.50
Prior Lake-Savage Area Schools	719	1	31,348.44
Shakopee Public School District	720	1	505.00
Elk River Public School District	728	1	3,000.00
Owatonna Public School District	761	1	10,000.00
Mahtomedi Public School District	832	1	14,445.61
South Washington County School District	833	1	5,466.65
Delano Public School District	879	1	57.00
United South Central School District	2134	1	3,346.15
Davinci Academy	4185	7	740.50
Area Special Education Cooperative	997	52	138.50
Minnesota Valley Education District	6027	61	200.00
Total Special Education Litigation Costs Reported			\$248,500.96

## Bibliography

Minnesota Department of Education Data Bridge Database for School Year 2014-2015